



Docket No.: 4259P008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

JAMES NICHOLS

Application No.: 09/654,317

Filed: September 1, 2000

For: **System and Method for Intelligent
Buffering and Bandwidth Allocation**

Art Group: 2614

Examiner: John Manning

RECEIVED

AUG 09 2004

Technology Center 2600

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). This IDS and IDS Citation Form are being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

08/06/2004 CNGUYEN 00000045 09654317

01 FC:1806

180.00 OP

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

The fee set in the amount of \$180.00 for submission of the Information Disclosure Statement is enclosed herewith. Please charge any additional fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

T. Bannister *W. L. Ladd*

Thomas C. Webster, Reg. No. 46,154

12400 Wilshire Boulevard, 7th Floor
Los Angeles, CA 90025
Telephone: (408) 720-8300

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Tina Wainright 8-4-04
Tina Wainright Date

Substitute for Form 1449/PTO

**O I P INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(use as many sheets as necessary)

AUG 06 2004

Sheets 1 of 1
PATENT & TRADEMARK OFFICE

Complete if Known

Application Number	09/654,317
Filing Date	September 1, 2000
First Named Inventor:	James Nichols
Art Unit	2614
Examiner Name	John Manning

1 of 1 Attorney Docket Number 004259.P008

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		US- 4,944,008		7/24/90	Piosenka, et. al.	
		US- 5,146,325		9/8/92	Ng	
		US- 5,574,964		11/12/96	Hamlin, Christopher L.	
		US- 5,584,023		12/10/96	Hsu	
		US- 5,734,589		3/31/98	Kostreski, et al.	
		US- 5,734,862		3/31/98	Kulas	
		US- 5,870,477		2/9/99	Sasaki, et. al.	
		US- 5,883,869		3/16/99	Tamai, et al.	
		US- 5,896,444		4/20/99	Perlman, et al.	
		US- 6,108,422		8/22/00	Newby, et al.	
		US- 6,138,147		10/24/00	Weaver, et al.	
		US- 6,233,389		5/15/01	Barton	
		US- 6,226,241		5/1/00	D'Amato, et al.	
		US- 6,366,731		4/2/02	Na, et al.	
		US- 6,360,368		3/19/02	Chawla	
		US- 6,526,580		2/25/03	Shimomura, et al.	
		US- 6,578,070		6/10/03	Weaver, et al.	

RECEIVED

AUG 09 2004

Technology Center 2600

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 693 727 A1	1/24/96	Tsukamoto, Junichi, et al.		
		EP 01 079 581 A2	2/28/01	Choo, Tse Huong		
		WO 99/33265	7/1/91	O'Connor, et al.		
		WO 01/04893 A1	1/18/01	Shimotashiro, et al.		
		WO 01/37546 A6	5/25/01	Luc Ventalon, et al.		

Examiner Signature		Date Considered
--------------------	--	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



AP/61
2614
H

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

44

Application No.

09/654,317

Filing Date

September 1, 2000

First Named Inventor

James Nichols

Art Unit

2614

RECEIVED

AUG 09 2004

Examiner Name

John Manning

Attorney Docket Number

4259P008

Technology Center 2600

ENCLOSURES (check all that apply)

Fee Transmittal Form

Drawing(s)

After Allowance Communication to Group

Fee Attached

Licensing-related Papers

Appeal Communication to Board of Appeals and Interferences

Amendment / Response

Petition

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

After Final

Petition to Convert a Provisional Application

Proprietary Information

Affidavits/declaration(s)

Power of Attorney, Revocation Change of Correspondence Address

Status Letter

Extension of Time Request

Terminal Disclaimer

Other Enclosure(s) (please identify below):

Express Abandonment Request

Request for Refund

Copies of cited art (33).
Return Postcard

Information Disclosure Statement

PTO/SB/08

CD, Number of CD(s)

Certified Copy of Priority Document(s)

Remarks

Response to Missing Parts/ Incomplete Application

Basic Filing Fee

Declaration/POA

Response to Missing Parts under 37 CFR 1.52 or 1.53

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Thomas C. Webster, Reg. No. 46,154

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Signature

Date

8/4/04

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name

Tina Wainright

Signature

Date

8-4-04

